

CRM-M-57375-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(101+206)

CRM-16221-2024 in/and
CRM-M-57375-2023
Date of Decision:-23.04.2024

Sanyam @ Harry

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Kushagra Mahajan, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

ALOK JAIN, J. (Oral)

CRM-16221-2024

1. The present application has been filed under Section 482 Cr.P.C. to place on record the NOC/Permission for sale of weapon, purchase receipt by Army Gun House and Compromise as Annexures P-8 to P-10.

2. Application is allowed as prayed for. Annexures P-8 to P-10 are taken on record, subject to all just exceptions.

CRM-M-57375-2023

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.60 dated 14.04.2023 under Section 336, IPC, 1860 and Section 27 of the Arms Act, 1959, registered at Police Station Cantonment, District Amritsar (Annexure P-1).

2. Although as per the order dated 22.11.2023, the petitioner was directed to deposit the weapon with the Investigating Officer, however,

CRM-M-57375-2023

learned counsel for the petitioner submits that the petitioner had already sold the weapon after the lodging of the FIR but before the order passed in which the concession was granted, therefore, he could not comply with the said order. He further submits that now the parties have compromised the matter and the same is annexed as Annexure P-10.

3. Learned State counsel has submitted that the petitioner has joined the investigation and is not required except for the compliance of order, directing the petitioner to deposit of the weapon which has in fact now become unexecutable.

4. In light of the above, the present petition is allowed. The order dated 22.11.2023 granting interim anticipatory bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency, and shall abide by the conditions of Section 438 (2) Cr.P.C.

5. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

6. It is made clear that, in case, the petitioner is found involved in any such activity once again, after the grant of this concession, the State is at liberty to promptly move an appropriate application for cancellation of this concession.

7. It is further made clear that this order shall not be construed as parity *qua* any other co-accused.

(ALOK JAIN)
JUDGE

April 23, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No